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**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CIP)

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

original  
 design  
 supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.

national stage of PCT

NOTE: If one of the following three items applies, then check and also complete section entitled "CLAIM FOR BENEFIT UNDER 35 U.S.C. § 120" or "CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (35 U.S.C. § 119(e))."

divisional  
 continuation  
 continuation-in-part (CIP)  
 provisional

**INVENTORSHIP IDENTIFICATION**

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

METHOD AND COMPOSITION FOR FORMING WATER IMPERMEABLE BARRIER

## SPECIFICATION IDENTIFICATION

the specification of which:

- (a)  is attached hereto.
- (b)  was filed on November 13, 1997  Serial No. 08/969,680  Express Mail No. EM471853419US.

NOTE: Amendments filed after the original papers are deposited with the PTO and which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c)  was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ as amended under PCT Article 19 on \_\_\_\_\_ (if any).

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority under 35 U.S.C. § 119, complete and attach EXHIBIT 1, FOREIGN PRIORITY CLAIM UNDER 35 U.S.C. § 119.

## ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56,

(also check the following items, if desired)

- and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- in compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR § 1.98.

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(35 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional applications listed below:

**APPLICATION NO(S):**

**FILING DATE**

60 / 030,889

November 13, 1996

\_\_\_\_\_ / \_\_\_\_\_

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**CLAIM FOR BENEFIT UNDER 35 U.S.C. § 120**

NOTE: Complete this part only if this is a divisional, continuation or CIP application.

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120:				
U.S. APPLICATIONS			Status (check one)	
U.S. SERIAL NO	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLN. NO.	PCT FILING NO.	U.S. SERIAL NO.		

## FOREIGN PRIORITY CLAIM UNDER 35 U.S.C. § 119

(complete one of the following)

I claim no foreign priority benefits under Title 35 U.S.C. § 119 of foreign application(s) for patent or inventor's certificate or of any PCT international application; or

I claim foreign priority benefits under Title 35 U.S.C. § 119, as indicated in ADDED PAGE FOR FOREIGN PRIORITY CLAIM UNDER 35 U.S.C. § 119 attached hereto as Exhibit 1.

## POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Margaret S. Millikin, Reg. No. 38,969, James M. Stipek, Reg. No. 39,388 and Sean V. O'Connell, Reg. No. P42,951, of the firm of McKINNEY & STRINGER, P.C., 101 North Broadway, BancFirst Building, Oklahoma City, Oklahoma 73102.

Address all correspondence to:

Margaret S. Millikin, Esq.  
McKINNEY & STRINGER, P.C.  
101 North Broadway, Suite 800  
BancFirst Building  
Oklahoma City, Oklahoma 73102  
Phone: 405/272-1921  
Fax: 405/239-7902

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURES

Full Name of Sole  
or First Inventor: James E. Hessert

Inventor's Signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Residence and 9703 E. 75<sup>th</sup>, #837, Tulsa, Oklahoma 74133

Post Office Address: 9703 E. 75<sup>th</sup>, #837, Tulsa, Oklahoma 74133

Country of Citizenship: U.S.A.

## SIGNATURES

Full Name of Second  
Joint Inventor: D. Daniel Wallace

Inventor's Signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Residence and \_\_\_\_\_  
Post Office Address: 2209 Boren Boulevard, Seminole, Oklahoma 74868

Post Office Address: 2209 Boren Boulevard, Seminole, Oklahoma 74868

Country of Citizenship: U.S.A.

Full Name of Third  
Joint Inventor: Jimmy D. DeLong

Inventor's Signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Residence and 6805 North Comanche Avenue, Oklahoma City, Oklahoma 73132

Post Office Address: P.O. Box 434, Oklahoma City, Oklahoma 74170

Country of Citizenship: U.S.A.

Full Name of Fourth  
Joint Inventor: Charles J. Neef

Inventor's Signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Residence and 1938 Crawford, #40, Garland, Texas, 75041

Post Office Address: 1938 Crawford, #40, Garland, Texas, 75041

Country of Citizenship: U.S.A.

MSM:ids:303771

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James E. Hessert et al. )  
Serial No.: 08/969,680 )  
Filed: November 13, 1997 )  
For: METHOD AND COMPOSITION FOR )  
FORMING WATER IMPERMEABLE )  
BARRIER )

SUPPLEMENTAL DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor, together with James E. Hessert, Jimmy D. DeLong and Charles J. Neef, of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD AND COMPOSITION FOR FORMING WATER IMPERMEABLE BARRIER, Serial No., 08/969,680, the specification of which was filed with the Patent & Trademark Office on November 13, 1997.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 (a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that with willful false statements may jeopardize the validity of the application or any patent issued thereon.

I make this declaration on behalf of myself and on behalf of coinventor James E. Hessert.

Joint Inventor: D. Daniel Wallace

Inventor's Signature: D. Daniel Wallace

Date of Signature: 9-15-99

Post Office Address: 2209 Boren Blvd.  
Seminole, OK 74868

Residence: Seminole, OK

Country of Citizenship: United States of America

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Section 1001 of Title 18 of the United States Code and that with  
willful false statements may jeopardize the validity of the  
application or any patent issued thereon.

I make this declaration on behalf of myself and on behalf of  
coinventor James E. Hessert.

Joint Inventor: Charles J. Neef  
Inventor's Signature: Charles Neef  
Date of Signature: 10-1-99  
Post Office Address: 1938 Crawford, #40  
Garland, TX 75041  
Residence: Garland, TX  
Country of Citizenship: United States of America

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James E. Hessert et al. )  
Serial No.: 08/969,680 )  
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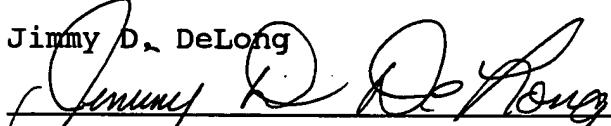
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that with willful false statements may jeopardize the validity of the application or any patent issued thereon.

I make this declaration on behalf of myself and on behalf of co-inventor James E. Hessert.

Joint Inventor: Jimmy D. DeLong

Inventor's Signature: 

Date of Signature: October 4, 1999

Post Office Address: P.O. Box 434  
Oklahoma City, OK 74170

Residence: Oklahoma City, OK

Country of Citizenship: United States of America